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COMMITTEE OF THE WHOLE

RECORD OF THE SIXTH MEETING

Held at the Austria Center, Vienna,
on Friday, 25 September 1998, at 10.20 a.m.

Chairman: Mr. JOSEPH (Australia)

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[*] GC(42)/20.

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The composition of delegations attending the session is given in document GC(42)/INF/13/Rev.3.

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STRENGTHENING OF THE AGENCY'S TECHNICAL CO-OPERATION ACTIVITIES (continued)
(GC(42)/COM.5/3/Rev.2)

1. The CHAIRMAN invited the representative of Ireland to state his delegation's position with regard to the draft resolution in document GC(42)/COM.5/3/Rev.2.

2. Mr. MOONEY (Ireland) said that, in the interests of consensus on an issue that his Government found a difficult one, his delegation would agree to the text as amended during the previous meeting.

3. The CHAIRMAN said he took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution in document GC(42)/42 with the amendments spelled out by him at the end of the previous meeting.

4. It was so agreed.

MEASURES TO STRENGTHEN INTERNATIONAL CO-OPERATION IN NUCLEAR, RADIATION AND WASTE SAFETY (resumed)
(GC(42)/COM.5/5/Rev.1)

5. The CHAIRMAN invited the Committee to resume its consideration of the draft resolution on the "Safety of transport of radioactive materials" in document GC(42)/COM.5/5/Rev.1.

6. Mr. MCINTOSH (Australia) said that, following further consultations, he wished to propose that operative paragraph 2 be amended to read as follows: "Invites shipping States to provide, as appropriate, assurances to potentially affected States upon their request that their national regulations take into account the Agency's Transport Regulations and to provide them with relevant information relating to shipments of radioactive materials. The information provided should in no case be contradictory to the measures of physical security and safety;". The aim of the sentence "The information ... and safety." was to ensure that the physical protection and safety of shipments of nuclear materials were not compromised through the provision of information.

7. The CHAIRMAN proposed that the words "shipping States" be replaced by "States shipping radioactive materials".

8. Mr. SUSEANU (Romania) expressed support for the draft resolution with the proposed amendments.

9. Mr. MORTON (New Zealand) said that the draft resolution as amended did not satisfy his delegation entirely, but he would not oppose a consensus. New Zealand believed that the rights of coastal States were just as important as the rights of shipping States.

10. Mr. RYZHOV (Russian Federation) said that responsibility for the safe transport of radioactive materials lay exclusively with States. Consequently, it was for States to decide on the nature of their relevant transport regulations. His delegation would oppose any attempt to undermine that basic principle or to bring about de facto changes in - for example - the long-standing international rules governing maritime transport.

11. As regards operative paragraph 2 of the draft resolution under consideration, the danger of nuclear terrorism was growing. Highly radioactive materials could be used in nuclear terrorism, and the transport of such materials must therefore take place in conditions of secrecy. If information was disseminated about the timing or itinerary of shipments, it would be more difficult to ensure their physical security and safety. Operative paragraph 2 with the proposed amendments did not fully meet his country's concerns, but his delegation was prepared to go along with it and not oppose a consensus on the draft resolution.

12. Mr. NAKAHARA (Japan) said that his delegation could accept operative paragraph 2 with the proposed amendments on the understanding that the maritime, river and air navigation rights provided for in international law would not be affected by the adoption of the draft resolution.

13. Mr. TOWLER (United Kingdom) said his delegation could join in a consensus on the draft resolution with the proposed amendments.

14. Mr. MOONEY (Ireland) said his delegation had reservations about the proposed amendments to operative paragraph 2, which greatly weakened the paragraph, but he would not block a consensus.

15. The CHAIRMAN said he took it that the Committee wished to recommend to the General Conference that it adopt the draft resolution contained in document GC(42)/COM.5/5/Rev.1, with the insertion of "also" after "Noting" in preambular paragraph (h) and with operative paragraph 2 amended in the manner proposed by the representative of Australia and himself.

16. It was so agreed.

ARTICLE VI OF THE STATUTE (resumed)
GC(42)/19 and Add.1)

17. Mr. IKEDA (Japan), speaking as Chairman of the Board of Governors, said that he had conducted informal consultations concentrating on the matter of the composition of regional groups. The consultations - with individual Member States - had been businesslike and constructive, but wide divergences of position had still been apparent.

18. He hoped to submit to the Committee, later in the day, the draft of a statement which the President of the Conference could read out in Plenary.

19. The CHAIRMAN suggested that the Committee adjourn now and reconvene once a draft presidential statement had been produced for its consideration.

20. He would report to the Conference in Plenary on what the Committee had done under items 5(c), 5(d) and 9-16 of the Conference's agenda, informing the Conference that the Committee still had to complete its consideration of item 17, "Article VI of the Statute".

The meeting rose at 10.50 a.m.